

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CRIMINAL CASE NO. 1:11cr50**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
	)	
<b>LIZET VASQUEZ-HERNANDEZ.</b>	)	
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**THIS MATTER** is before the Court on the Defendant's Motion to Suppress Evidence [Doc. 23] and the Magistrate Judge Memorandum and Recommendation [Doc. 35] regarding the disposition of that Motion.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider the Defendant's Motions to Suppress Evidence and to submit a recommendation for its disposition.

On April 16, 2012, the Magistrate Judge filed a Memorandum and Recommendation [Doc. 35] containing proposed findings of fact and conclusions of law in support of a recommendation regarding the Defendant's Motion. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within

fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

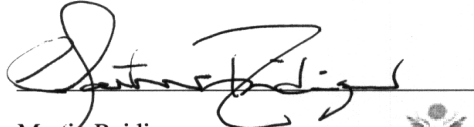
After a careful review of the Magistrate Judge's Recommendation [Doc. 35], the Court finds that the proposed findings of fact are correct and that the conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation that the Defendant's Motion to Suppress Evidence be denied but that the Court nevertheless exclude from evidence the Permanent Resident Alien card and Defendant's response to Deputy Blackwell's questions in which she stated that the card was hers but that it was fake.

**IT IS, THEREFORE, ORDERED** that the Magistrate Judge's Memorandum and Recommendation [Doc. 35] is **ACCEPTED**, and the Defendant's Motion to Suppress Evidence [Doc. 23] is **DENIED**.

**IT IS FURTHER ORDERED** that any evidence of the Permanent Resident Alien card and of the Defendant's statements to Deputy Blackwell regarding that card shall be excluded from the evidence of this case.

**IT IS SO ORDERED.**

Signed: May 18, 2012

  
Martin Reidinger  
United States District Judge

